IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 477 of 2005

SHANTILAL
V/S
MANGILAL & ANR

Mr. RAKESH ARORA, for the appellant / petitioner

Date of Order : 13.7.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant, and perused the Commissioner's report, site plan, and the statement of the defendant, which was read to me by the learned counsel.

In my view, the finding recorded by the two learned Courts below about the wall in question being not joint party wall is a pure finding of fact, and is not shown to be vitiated on any of the grounds available under Section 100 CPC.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/tarun/